



AN ACT REVISING LAWS RELATED TO WOLF MANAGEMENT; PLACING PRIORITY ON THE PROTECTION OF HUMANS, LIVESTOCK, AND PETS; ALLOWING THE REMOVAL OF PROBLEM WOLVES FOR LIVESTOCK DEPREDATION; DEFINING "PROBLEM WOLVES"; PROVIDING THAT FOLLOWING DELISTING SPECIAL KILL PERMITS MAY BE ISSUED TO LANDOWNERS AND PUBLIC LAND PERMITTEES; AMENDING SECTIONS 87-1-217 AND 87-5-131, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 87-1-217, MCA, is amended to read:

"87-1-217. Policy for management of large predators -- legislative intent. (1) In managing large predators, the primary goals of the department, in the order of listed priority, must be ~~are~~ to:

~~(a) preserve citizens' opportunities to hunt large game species;~~
~~(b)(a)~~ (a) protect humans, livestock, and pets; ~~and~~
~~(c)(b)~~ (b) preserve and enhance the safety of the public during outdoor recreational and livelihood activities;
and

(c) preserve citizens' opportunities to hunt large game species.

(2) As used in this section:

(a) "large game species" means deer, elk, mountain sheep, moose, antelope, and mountain goats; and

(b) "large predators" means bears, mountain lions, and wolves.

(3) With regard to large predators, it is the intent of the legislature that the specific provisions of this section concerning the management of large predators will control the general supervisory authority of the department regarding the management of all wildlife.

(4) For the management of wolves in accordance with the priorities established in subsection (1), the department may use lethal action to take problem wolves that attack livestock, so long as the state objective for breeding pairs has been met. For the purposes of this subsection, "problem wolves" means any individual wolf or pack of wolves with a history of livestock predation."

Section 2. Section 87-5-131, MCA, is amended to read:

"87-5-131. Process for delisting of gray wolf -- management following delisting. (1) If the United States fish and wildlife service removes the Northern Rocky Mountain or gray wolf from the United States' list of endangered or threatened wildlife, the department is authorized to remove the wolf from the state list of endangered species upon a determination by the department pursuant to this part that the wolf is no longer endangered.

(2) Following state delisting of the wolf, the department shall manage the wolf as a species in need of management until the department and the commission determine that the wolf no longer needs protection as a species in need of management and can be managed and protected as a game animal. Upon making that determination, the commission may declare the wolf a big game animal or a furbearer and may regulate the taking of a wolf as a big game animal or furbearer.

(3) (a) Following state delisting of the wolf, the department, or the department of livestock, pursuant to 81-7-102 and 81-7-103, may control wolves for the protection and safeguarding of livestock if the control action is consistent with a wolf management plan approved by both the department and the department of livestock.

(b) Any wolf management plan approved by the department and the department of livestock must allow the issuance of special kill permits, also known as shoot-on-sight written take authorizations, by the department to landowners or public land permittees who have experienced livestock depredation."

Section 3. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
SB 0228, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2009.

Speaker of the House

Signed this _____ day
of _____, 2009.

SENATE BILL NO. 228
INTRODUCED BY DE. BARRETT

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